


<p>S</p> <p><u>Justin Germaine</u></p> <p>Write the full name of each plaintiff</p> <p>-against-</p> <p><u>James Gibbs et al</u></p> <p>Write the full name of each defendant</p>	<p>Defendant is directed to submit a letter responding to Plaintiff's motion (Doc. 62) by December 30, 2024.</p> <p>SO ORDERED.</p> <p></p> <p>Philip M. Halpern United States District Judge</p> <p>Dated: White Plains, New York December 18, 2024</p>
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PLEASE TAKE NOTICE that Plaintiff Justin Germaine  
 plaintiff or defendant name of party who is making the motion

requests that the Court:

Allocation of funds / payment of settlement

Briefly describe what you want the court to do. You should also include the Federal Rule(s) of Civil Procedure or the statute under which you are making the motion, if you know.

In support of this motion, I submit the following documents (check all that apply):

- ☐ a memorandum of law
- ☒ my own declaration, affirmation, or affidavit
- ☒ the following additional documents: Germaine v. Gibbs et al

23-cv-01305 (PMH)

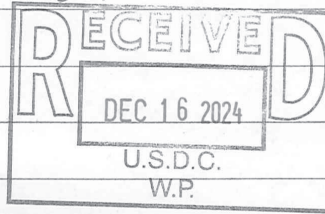
<u>12-10-24</u>	<u>Justin Germaine</u>
Dated	Signature
<u>Justin Germaine</u>	<u>99718-038</u>
Name	Prison Identification # (if incarcerated)
<u>Fcc Oakdale II, PO Box 5010</u>	<u>Oakdale</u>
Address	City
<u>N/A</u>	<u>LA</u>
Telephone Number (if available)	State
<u>N/A</u>	<u>71463</u>
E-mail Address (if available)	Zip Code

12-16-24

Justin Germaine

V.

James Gibbs et al.,



NO: 23 CIV. 1305 PMH

To: U.S. District Judge Philip M. Holpern, or Clerk of the Court.

On August 19, 2024 parties from the matter Justin Germaine v. James Gibbs et al., Over a phone conference the parties came to a settlement agreement. On October 3, 2024 Judge Holpern signed and ordered payment of the settlement amount of \$20,000. Of that \$7,500 is to go to plaintiff and 12,500 to the treasury dept for restitution regarding another matter.

Throughout the past two months I've communicated with AUSA Alexander Kristofcak. I've inquired about the agreed upon settlement. I still have not received payment. Mr Kristofcak asked for notification if I did not receive it by the end of November 2024 as document marked A-3 shows. I've included several pages to support facts for this motion request.

I now request a motion be filed for Allocation of Funds for the plaintiff to be paid in a timely manner. Plaintiff request if payment is not made by deadline the court impose an interest percentage added. Thank you for your time considering this motion.

From,

Justin Germaine

Case 7:23-cv-01305-PMH

Document 62

Filed 12/16/24

Page 2 of 6



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

August 22, 2024

**By CERTIFIED MAIL**

Justin L. Germaine  
99718-038  
Federal Correction Complex Oakdale II  
P.O. Box 5010  
Oakdale, LA 71463

Re: *Germaine v. Gibb, et al.*, No. 23 Civ. 1305 (PMH)

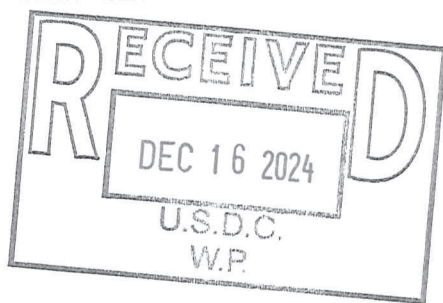
Dear Mr. Germaine:

In accordance with the oral agreement we reached during the settlement conference on August 19, 2024, enclosed with this letter, please find the Stipulation and Order of Settlement and Dismissal. I am also including a pre-paid envelope for you to send back the signed agreement or any comments you may have.

Best regards,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/ Alexander Kristofcak  
ALEXANDER KRISTOFCAK  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel.: (212) 637-2768  
Email: Alexander.Kristofcak@usdoj.gov





A-2

Facsimiles and/or PDFs of signatures shall have the same force and effect as original signatures and constitute acceptable, binding signatures for purposes of the Stipulation.

Dated: October 3, 2024  
New York, New York

DAMIAN WILLIAMS  
United States Attorney  
*Attorney for the Government*

By: *Alexander Kristofcak*  
ALEXANDER KRISTOFCAK  
Assistant United States Attorney  
86 Chambers Street, Third Floor  
New York, New York 10007  
Tel.: (212) 637-2768  
Alexander.Kristofcak@usdoj.gov

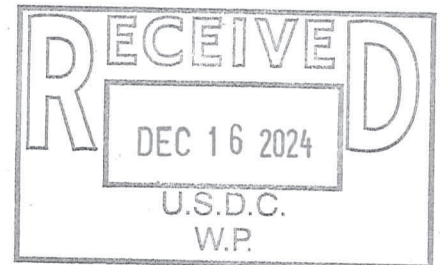
Dated: ~~August~~ <sup>September</sup> 3, 2024  
Oakdale, Louisiana

By: *Justin L. Germaine*  
JUSTIN L. GERMAINE  
*Plaintiff, Pro Se*

SO ORDERED:

Dated: October 4, 2024  
New York, New York  
White Plains

*Philip M. Halpern*  
HONORABLE PHILIP M. HALPERN  
U.S. DISTRICT JUDGE





U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

November 1, 2024

**By U.S. MAIL**

Justin L. Germaine  
99718-038  
Federal Correction Complex Oakdale II  
P.O. Box 5010  
Oakdale, LA 71463

**Re: *Germaine v. Gibb, et al.*, No. 23 Civ. 1305 (PMH)**

Dear Mr. Germaine:

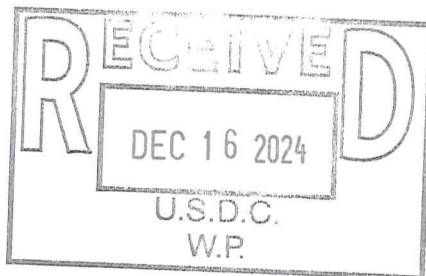
I write in response to your letter dated October 9, 2024. I received your previous letter in which you requested that the Government send the \$7,500 portion of the settlement payable to you to your father's address. I went ahead and made this change in the settlement agreement and submitted it to the Court. Attached for your reference is a copy of the settlement agreement signed by the Court in ECF No. 61.

On October 7, 2024, I submitted the settlement for payment to the judgment fund. It typically takes several weeks for payment requests to be processed. Please let me know if your father has not received by the check by the end of November and I will investigate.

Respectfully,

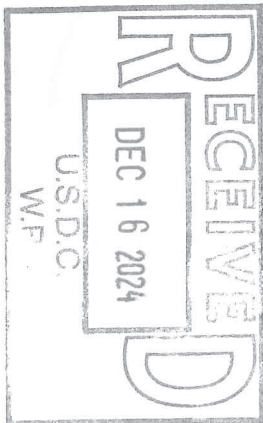
DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/ Alexander Kristofcak  
ALEXANDER KRISTOFCAK  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel.: (212) 637-2768  
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99718-038

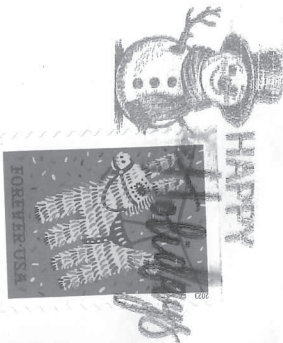
Justin Germaine  
#99718-038  
Federal Correctional Complex  
P.O. Box 5010  
Oakdale, LA 71463  
United States



US District Court  
Southern District of New York  
300 Quarropas St.  
White Plains New York  
10601

10601-414000

SHREVEPORT LA 710  
10 DEC 2024 PM 3 L



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